



(1) The Court GRANTS Certification Trendz's Motion for a Preliminary Injunction providing a limited freeze on Defendants' account with Global Collect, and any and all linked or associated accounts, including but not limited to Pay Pal, MoneyBookers, and/or any other payment processors, (hereinafter "Payment Processors") and ORDERS the freezing of funds and enjoining of Defendants distribution of Certification Trendz Products upon finding that plaintiff Certification Trendz has carried its burden of showing that the injunction is necessary to prevent irreparable harm, and has further demonstrated likelihood of success on the merits, and that the balance of the hardships tips in its favor.

(2) For the purposes of the ORDER, the term "Certification Trendz Products" includes exam preparation software copied from or derived from Certification Trendz's TestKing Testing Engine source code and exam preparation products containing exam question explanations that are copies of Certification Trendz exam explanations in which Defendant's logos have replaced the TEST KING ® mark.

(3) The Preliminary Injunction Order is granted pursuant to Federal Rule of Civil Procedure 65, the Court's general equitable power, and 17 U.S.C. § 502(a) and 15 U.S.C. §1116(a).

(4) The Court hereby ORDERS Defendants, and any persons or entities acting on their behalf, including but not limited to the financial institutions or Payment Processors, to account for funds paid to Defendants from the time period of November 6, 2009 to December 18, 2009 from all sources consistent with this Court's prior asset freeze dated November 6, 2009, and for

Defendants to promptly deposit with this Court said funds to be held by the Court pending final disposition of this case.

(5) Defendants shall identify all Payment Processors receiving funds on behalf of Defendants, and all banks receiving funds from all Payment Processors on behalf of Defendants, to Certification Trendz by name and location, account holder, and account number that is/are linked with Defendants, and do so promptly and not later than January 6, 2010.

(6) The Court hereby RESTRAINS AND ENJOINS Defendants, and any person or entities acting on their behalf, from advertising, distributing or selling any Certification Trendz Products.

(7) In addition to Defendants depositing to this Court all funds received from the period between November 6, 2009 and December 18, 2009, Defendants shall also file, not later than January 6, 2010, a bond in the amount of \$200,000 to serve as security for all claims with respect to this Preliminary Injunction Order Freezing Defendants' financial assets, and any additional relief which may be ordered by the Court in this action.

(8) The funds frozen by this order shall be returned to the Defendants if Plaintiff fails to establish liability and damages warranting payments or allocations to Plaintiff after the final disposition of this case.

(9) The Court hereby RESTRAINS and ENJOINS Defendants, and any person or entities acting on their behalf from any use of Plaintiff's registered TEST KING® mark including but not limited to using the domain name addresses freetestking.org or testkingdemo.com.

Entered this 18<sup>th</sup> Day of December, 2009.

/s/  
Gerald Bruce Lee  
United States District Judge

Honorable Gerald Bruce Lee  
United States District Judge